UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MILAN LIPSTEIN, et al.
 	
                          Plaintiffs,
 	
        -against-
 	
20X HOSPITALITY LLC d/b/a SPICY MOON, et al.,
 	
                       Defendant.
	Case No. 1:22-cv-04812 (JLR) (JW)
	
	<u>ORDER</u>

JENNIFER L. ROCHON, United States District Judge:

     Now before the Court is the Report and Recommendation, dated January 25, 2023, of

Magistrate Judge Jennifer Willis, recommending that Plaintiff's motion to conditionally certify

the proposed collective action pursuant to 29 U.S.C. § 216(b) on behalf of all Back-of-House

Employees employed by Defendant Spicy Moon during the three years prior to the date the

original complaint was filed, and for other related relief, be denied without prejudice. ECF No.

61 ("R&R"). Under 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b), the parties

had fourteen days from the service of the Report and Recommendation to file written objections.

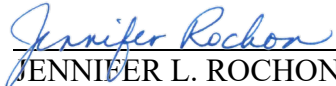That time has expired, and no objections have been filed.

     Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, this Court has

reviewed the Report and Recommendation for clear error. *See Gomez v. Brown*, 655 F. Supp. 2d

332, 341 (S.D.N.Y. 2009) (noting that, with respect to "uncontested portions of a report and

recommendation, a district court need only satisfy itself that there is no clear error on the face of

the record"). "A decision is 'clearly erroneous' when the reviewing Court is left with the

definite and firm conviction that a mistake has been committed." *Royal Park Invs. SA/NV v.*

Deutsche Bank Nat'l Tr. Co., No. 14-cv-4394 (AJN), 2018 WL 1750595, at *21 (S.D.N.Y. Apr.

11, 2018). Having reviewed the record and Judge Willis's report, and finding the Report to be

free from clear error, the Court adopts the January 25, 2023 Report and Recommendation of

Judge Willis in its entirety.

Accordingly, the Clerk of Court is respectfully directed to terminate the motion at ECF

No. 24.

Dated: February 10, 2023   SO ORDERED.
      New York, New York

Jennifer Rochon
JENNIFER L. ROCHON
United States District Judge